



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,125	09/19/2001	Kohji Numata	Q66262	8416
7590 04/05/2006			EXAMINER	
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC			CHOWDHURY, NIGAR	
2100 Pennsylvania Avenue, N.W.			ART UNIT	
Washington, DC 20037-3202			PAPER NUMBER	
			2621	

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/955,125	Applicant(s) NUMATA, KOHJI	
	Examiner Nigar Chowdhury	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 6, 11, 16, 21, 26, 31 and 36 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) ~~3-5, 7-10, 12-15, 17-20, 22-25, 27-30, 32-35 and 37-40~~ is/are allowed.
- 6) ☒ Claim(s) 1, 6, 11, 16, 21, 26, 31 and 36 is/are rejected.
- 7) ☒ Claim(s) 1 is/are objected to. → 2-5, 7-10, 12-15, 17-20, 22-25, 27-30, 32-35, and 37-40
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Objections

Claim 3 is objected to because of the following informalities: There is no numbering in Page 31 line 4. It should be claim "3". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 6, 11, 16, 21, 26, 31, 36 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,463,210 by Yokogawa.

Regarding claim 1, a moving image reproduction system comprising a means for acquiring a scanning line value of a display and adjusting a timing for display changeover specification (Col. 3 line 49-67, Col. 4 line 1-19).

Claims 11, 21, 31 are rejected for the same reason as discussed in corresponding system claim 1 above.

Regarding claim 6, a moving image reproduction system comprising a means for acquiring, when one frame is divided two half fields for displaying, a display scanning line value and adjusting a timing for display changeover specification to display a half field to be previously displayed (Col. 4 line 1-19).

Claims 16, 26, 36 are rejected for the same reason as discussed in corresponding system claim 6 above.

Allowable Subject Matter

Claims 2-3, 7-8, 12-13, 17-18, 22-23, 27-28, 32-33, 37-38 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The dependent system claims 2, 7, 12, 17, 22, 27, 32, 37 identify the uniquely distinct feature for " a timing adjuster for acquiring a current scanning line from said display controller and adjusting the timing with which said display changeover specification is issued, in accordance with said scanning line value."

Yokogawa, US 6,463,210, discloses image information is reproduced in respectively correspondence to monitors of different aspect ratios as in the NTSC system or HDTV system adaptive type. A standardized image signal is produced on the basis of the converted image information.

Matsumura et al., US 6,751,400, discloses the reverse direction reproduction of encoded data comprised of picture data compressed in accordance with the MPEG system is to be realized at a higher speed. The respective pictures are sequentially decoded and the decoded pictures are sequentially held in the frame memories.

Kato, US 6,396,874, discloses a method and apparatus for recording moving picture data encoded using a prediction encoding system, in which the playback control information is recorded along with moving picture data encoded using the MPEG system. The playback control information includes the information specifying a program decoding starting picture and a display starting picture and the information specifying the program decoding termination picture and a display termination picture.

None of the prior art, either singularly or in combination, fails to anticipate or render the above underlined limitations obvious. Claims 3, 8, 13, 18, 23, 28, 33, 38 are dependent on claims 2, 7, 12, 17, 22, 27, 32, 37 respectively and therefore also allowable.

Double Patenting

A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

Claims 4-5, 9-10, 14-15, 19-20, 24-25, 29-30, 34-35, 39-40 are objected to under 37 CFR 1.75 as being a substantial duplicate of claim 2-3, 7-8, 12-13, 17-18, 22-23, 27-28, 32-33, 37-38, respectively. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

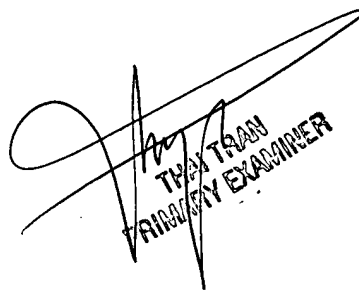
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nigar Chowdhury whose telephone number is 571-272-8890. The examiner can normally be reached on 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NIC
03/29/2006



THAI TRAN
PRIMARY EXAMINER